



B
Rw

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF : Benco et al.
FOR : **NETWORK SUPPORT FOR ACCESS
TO LOCATION INFORMATION OF A
MOBILE DEVICE**
SERIAL NO. : 10/696,065
FILED : October 29, 2003
EXAMINER : Gregory Issing
ART UNIT : 3662
CONFIRMATION NO. : 5948
ATTORNEY DOCKET NO. : LUTZ 2 00247
Case Name/No. Benco 37-27-27-32-27

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The Examiner indicated that claims 1-36 are allowed over the prior art. This recognition of allowable subject matter is acknowledged and appreciated.

However, while the applicants agree that the claims are allowable, the applicants do not concede that the claims are only allowable for the precise reasons stated by the Examiner. For example, as indicated in the remarks included in the Applicants' Amendment A, it is submitted that the claims may be allowable for reasons unrelated to any amendments.

Furthermore, the applicants do not concede that the Examiner's statements are entirely accurate and precise.

For example, paragraph 2 of the Examiner's statement of Reasons for Allowance includes the phrase --the user of the paging party--. This phrase is included in a portion of the Examiners comments that appear to paraphrase some of the language of the claims of the present application. If this is the case, it is respectfully submitted that the referenced phrase was meant to read: --the user

equipment of the paging party--.

Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & McKEE, LLP

Nov 12, 2004
Date

Joseph D. Dreher
Joseph D. Dreher
Reg. No. 37,123
Thomas Tillander
Reg. No. 47,334
1100 Superior Avenue
Seventh Floor
Cleveland, OH 44114-2518
216/861-5582

CERTIFICATE OF MAILING

I certify that this Comments on Statement of Reasons for Allowance is being

- ☒ deposited with the United States Postal Service as First Class mail under 37 C.F.R. § 1.8, addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.
- ☐ transmitted via facsimile under 37 C.F.R. § 1.8 on the date indicated below.
- ☐ deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated below and is addressed to: MAIL STOP AF, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Express Mail Label No.:
Date
Nov. 12, 2004

Signature
<u>Roseanne Giuliani</u>
Printed Name
Roseanne Giuliani

N:\LUTZ\200247\sb0000043V001.doc